

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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WILBER DAVID SILVA,	:	
Plaintiff,	:	
	:	24 Civ. 4591 (LGS)
-against-	:	
	:	<u>ORDER</u>
CONSOLIDATED SCAFFOLDING, INC., et al.,	:	
Defendants.	:	
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LORNA G. SCHOFIELD, District Judge:

WHEREAS, Plaintiff has brought this action on behalf of a putative collective under the Fair Labor Standards Act.

WHEREAS, Plaintiff has filed a letter stating his intent to file a motion for conditional certification of the collective.

WHEREAS, the standard for conditional certification is lenient. “The determination at the first step requires only a modest factual showing from plaintiffs that they and potential opt-in plaintiffs together were victims of a common policy or plan that violated the law.” *Lipstein v. 20X Hosp. LLC*, No. 22 Civ. 4812, 2024 WL 1073154, at *2 (S.D.N.Y. Jan. 24, 2024), *report and recommendation adopted*, No. 22 Civ. 4812, 2024 WL 1175079 (S.D.N.Y. Mar. 19, 2024) (citation and internal quotation omitted). It is hereby

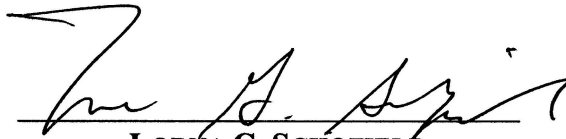
ORDERED that, Defendants shall respond to Plaintiff’s letter (as described in the Court’s Individual Rules) regarding conditional certification of a collective by **August 12, 2024**. It is further

ORDERED that, in light of the lenient standard for such a motion, the parties are directed to meet and confer in advance of the initial pretrial conference regarding the possibility of stipulating to conditional certification and the form of notice, reserving all of Defendants’ rights to object to any final certification under the more rigorous standard that applies at that stage. It is

further

ORDERED that Plaintiff's proposed motion for conditional certification of a collective will be addressed at the initial pretrial conference already scheduled for August 21, 2024, at 4:20pm.

Dated: August 6, 2024
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE